

# **STATE GUIDELINES**

## **(HIGHLIGHTS)**

The state policy is that every student in the state who has a home language other than English and who is identified as limited English proficient shall be provided a full opportunity to participate in a bilingual education or English as a second language program. (Texas Education Code, Chapter 29, Subchapter B, 20.051-29.064)

In 1981, the enactment of Texas Senate Bill 477 extended mandatory bilingual and other special programs from kindergarten through grade 12. In 1984, House Bill 72 further extended bilingual and special language programs to pre-kindergarten programs serving limited English proficient children.

Senate Bill 1 which passed in 1995; the Texas Education Code, Chapter 29, Subchapter B; and the Texas Administrative Code, Chapter 89, Subchapter BB, serve as the framework of the district's Bilingual/ESL program.

### **1. STUDENTS WHO ARE IDENTIFIED AS LEP (LIMITED ENGLISH PROFICIENT)**

The goal of the program shall be to enable (LEP) students to become competent in the comprehension, speaking, reading and writing of the English language through the development of literacy and academic skills in the primary language and English (for bilingual instruction) and through the integrated use of second language methods (for ESL instruction). The basic curriculum content of the programs shall be based on the TEKS (Texas Essential Knowledge and Skills) required by the state.

### **2. CONTENT AND DESIGN OF BILINGUAL EDUCATION OR ENGLISH AS A SECOND LANGUAGE PROGRAM**

Instruction, pacing, and materials should be modified to ensure the LEP student the opportunity to master the essential elements of the required program. Students in the bilingual education and English as a second language programs shall participate with their English-speaking peers in such subjects as art, music, and physical education.

### **3. INSTRUCTIONAL TIME**

“The bilingual education program shall be a full-time program of instruction for any school district whose enrollment is at least 20 or more LEP students in any language classification in the same grade level in which both the students' home language and English shall be used for instruction. The amount of instruction time in each language shall be commensurate with the students' level of proficiency in each language and their level of academic achievement. The students' level of language

proficiency and academic achievement shall be designated by the Language Proficiency Assessment Committee (LPAC).” (TEA, Chapter 89) “In pre-kindergarten through Grade 8, instruction in English as a second language may vary from the amount of time accorded to instruction in English language arts in the regular program for non-limited English proficient students to total immersion in second language approaches. In high school, the English as a second language program shall be consistent with graduation requirements under Chapter 74 of this title (relating to Curriculum Requirements). The LPAC committee, however, may recommend appropriate services that may include content courses provided through sheltered instructional approaches by trained teachers, enrollment in English as a second language courses, additional state elective English courses, and special assistance provided through locally determined programs. (TEA, Chapter 89.1210.d)

#### 4. **HOME LANGUAGE SURVEY (HLS)**

The home language survey is given to each student **new to the district** in order to determine the student’s language classification. Parents of guardians of students in grades pre-kindergarten through grade eight, or students in grades nine through twelve are required to sign the survey. The original copy of the HLS becomes part of the student’s permanent record. A copy is placed in the Bilingual/ESL folder. There should be **only one** signed HLS in each student’s permanent record folder. The date of the HLS should coincide with the original enrollment date. This is a one-time requirement and is not an annual one. Make sure that there is a HLS in every student folder and that it is signed.

#### 5. **ROLE OF THE LANGUAGE PROFICIENCY ASSESSMENT COMMITTEE (LPAC)**

The role of the language proficiency assessment committee is to review information pertaining to all LEP students upon their **initial enrollment and at the end of each school year**. The LPAC designates the language proficiency and academic levels of each LEP student, designates initial instructional/program placement, classifies students as English proficient, and recommends exit from the bilingual/ESL program. The LPAC is also responsible for notifying parents (in writing) of students’ classification as LEP, requesting approval for placement and monitoring for two years the academic progress of students exited from the program.

#### 6. **DOCUMENTS FOR STUDENT’S PERMANENT RECORD**

- ◆ Identification of the student as limited English proficient. (entry LPAC)
- ◆ The designation of the student’s level of language proficiency. (NES, LES, FES and Language Level 1, 2, 3, 4, or 5)
- ◆ The recommendation of program placement. (Bilingual or ESL)
- ◆ Parent approval of entry or placement into the program.
- ◆ The dates of entry into, and placement within, the program.

- ◆ The date(s) of exemption(s) from the criterion-referenced test, criteria used for this determination, and additional instructional interventions provided to students to ensure adequate yearly progress.
- ◆ The date of exit from the program and parent notification.
- ◆ The results of monitoring for academic success. (TEA, Chapter 89)

## 7. CRITERIA FOR PLACEMENT IN BILINGUAL/ ESL PROGRAM

Each student with a language other than English on the HLS shall be administered the following assessments to determine English language proficiency:

- a) In grades pre-kindergarten through grade 1 – a TEA approved oral language proficiency test (Oral IPT); and
- b) In grades 2-12, a state approved oral language proficiency test (Oral IPT) **and** the English reading and language arts sections from a TEA approved student assessment instrument.

Students who score below the designated level indicating limited oral English proficiency (grades PreK-12); or, who score below the 40<sup>th</sup> percentile on **either** the English reading or English language arts sections of the approved assessment instrument are **designated as limited English proficient (LEP) and are recommended for placement** in either bilingual education or the English as a Second Language program.

*Students must be identified and enrolled in the appropriate program **within four weeks of their initial enrollment in the district.***

## 8. CRITERIA FOR EXITING THE BILINGUAL/ESL PROGRAM

- ◆ If the student in grades 1-12 scores at or above the 40<sup>th</sup> percentile on an English Standardized Achievement Test on **both** the Reading and Language Arts subtests and above the criterion level on the IDEA on spring testing, the student may be considered for exit from the bilingual/ESL program. (The Oral IPT shall be administered at the end of each school year).
- ◆ If a student in grades 3-12 scores a TLI of 70 on the Reading portion of the TAKS test and FES (fluent English speaking) on the Oral IPT, the student may be considered for exit. A student must also pass the writing portion of TAKS in applicable grades.
- ◆ Subjective teacher evaluation, parental evaluation, and criterion referenced test results may be considered in determining the student's language proficiency.
- ◆ Students in the bilingual/ESL program in pre-kindergarten through first grade **shall not be exited** from the program.
- ◆ The ARD committee can decide that the student does not need bilingual education or ESL. The ARD committee for a bilingual/ESL student should include the bilingual/ESL teacher. **An ARD decision can override an LPAC decision.**

## 9. REQUIRED SUMMER SCHOOL PROGRAMS

Summer school programs that are provided under the Texas Education Code, 29.060, for children of limited English proficiency who will be eligible for admission kindergarten or first grade at the beginning of the next school year shall be implemented.

- a. Purpose of summer school programs
  - ◆ Limited English proficient students shall have an opportunity to receive special instruction designed to prepare them to be successful in kindergarten and first grade.
  - ◆ Instruction shall focus on language development and TEKS appropriate to the level of the student.
  - ◆ The program shall address the affective, linguistic, and cognitive needs of the limited English proficient students.
- b. Establishment of, and eligibility for, the program
  - ◆ Each district required to offer a bilingual or special language program, shall offer the summer program. Programs under this subsection for students who will be in bilingual education kindergarten and first grade programs shall be bilingual education.
  - ◆ To be eligible for enrollment, a student must be eligible for admission to kindergarten or first grade at the beginning of the next school year and must be limited English proficient.
  - ◆ Limited English proficiency shall be determined by screening students using informal oral language inventories or oral proficiency instruments.
- c. Operation of the program
  - ◆ Enrollment in the program is optional with the parents of the student.
  - ◆ The program shall be operated on a one-half day basis, a minimum of three hours each day, for eight weeks or the equivalent of 120 hours of instruction. (SISD summer program is 4 hours/day for 6 weeks)
  - ◆ The student/teacher ratio for the program district-wide shall not exceed 18:1.
  - ◆ A district is not required to provide transportation for the summer program (SISD chooses to run bus routes for the students for the summer program through state funding)
  - ◆ Teachers shall possess certification or endorsement as required.
  - ◆ A summary of student progress shall be provided to parents at the conclusion of the program and provided to the student's teacher at the beginning of the next regular school year.
  - ◆ A district may join with other districts in cooperative efforts to plan and implement programs.
  - ◆ The summer school program shall not substitute for any other program required to be provided during the regular school term.